

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**

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**Report**

TO: Members of the Judicial Council

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DATE: December 5, 2003

SUBJECT: Amended Guidelines for the Trial Court Improvement Fund and the  
Judicial Administration Efficiency and Modernization Fund  
(Action Required)

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Issue Statement

Government Code section 77209(g) allows the Judicial Council, with appropriate guidelines, to delegate to the Administrative Director of the Courts the administration of the Trial Court Improvement Fund (Improvement Fund). Government Code section 77213(b) allows the Judicial Council, with appropriate guidelines, to delegate to the Administrative Office of the Courts (AOC) the administration of the Judicial Administration Efficiency and Modernization Fund (Modernization Fund). On January 30, 2002, the council approved internal guidelines that became effective February 1, 2002. The guidelines included a delegation of the administration of the funds to the Administrative Director of the Courts in order to allow for timely adjustments to the approved allocations to meet critical court needs and emergencies.

The principal changes being made to the existing guidelines include the following:

- Establish stronger criteria to clarify the delegated authority of the Administrative Director of the Courts to administer the special funds;
- Provide greater council oversight through the Executive and Planning Committee; and
- Require approval of the full council where changes to ongoing allocations to support trial court operations are needed.

### Recommendation

1. AOC staff recommend that the Judicial Council, effective December 5, 2003, approve the amended Improvement Fund and Modernization Fund internal guidelines included in this report; and
2. AOC staff recommend that the Judicial Council delegate authority to the Administrative Director of the Courts to approve or amend allocations consistent with the approved guidelines, effective December 5, 2003.

### Rationale for Recommendation

The approval of the recommended guidelines and the delegation of authority to the Administrative Director of the Courts for the administration of both funds will allow for the management of the approved allocations in order to address urgent and critical needs of the courts.

### Alternative Actions Considered

Maintenance of the status quo was considered. This would result in the AOC and the Judicial Council continuing to make allocations without criteria specified to guide those allocations.

### Comments From Interested Parties

Development of the special fund guidelines is not subject to the comment process.

### Implementation Requirements and Costs

Implementation of the recommended guidelines and delegated authority will result in no additional costs.